

20th Circuit Court -- Ottawa County -- Committed to Helping Parents Stay Employed to Pay Child Support

Posted by [State Court Administrative Office](#) on Aug 15, 2016 1:41:02 PM

By SCAO Friend of the Court Bureau Interns

Paying child support can often be a frustrating and difficult undertaking, particularly when the parent who is required to pay encounters financial difficulty. Some of those parents might even feel like they are being negatively judged and told, “Get a job, you lazy bum!”

Although the Child Support Program strives to treat all parties with respect at every step of the child support process, this is the impression that some payers take away from an order to show cause for failure to pay child support. Parties may petition for a modification of the support order, but generally, an inability to obtain employment does not excuse the payer from the obligation to pay. If the payer is eligible for unemployment or disability benefits, a portion of those benefits may be available to meet the support order. However, if the payer is ineligible for either program, the payer must find employment or will continue to incur arrears and receive show cause notices.

But getting a job is not always an easy proposition. A party’s criminal history, education level, employment background, and physical and mental abilities may present serious hurdles to employment. For some parties, show-cause days become part of their yearly routine – an exercise in trying to explain their employment struggle while being ordered to find a way to pay the support amount. Still, many of these parties are not as “unemployable” as they believe, and resources are available to place those willing to work in a position that fits their individual abilities and needs.

Last summer, the Ottawa County Friend of the Court (FOC) began a serious effort to improve support collections by tapping into the employment resources available in western Michigan. In Ottawa County, all show-cause hearings are scheduled on Fridays. Parties are required to arrive by 8:15 a.m. and the judge begins hearing cases at 11:00 a.m. Similar timeframes are used by many FOCs in Michigan, with the interim time being used to provide the parties with an opportunity to settle the issues. Ottawa County takes this idea one step further, by partnering

with Workbox and Solutions – two companies that specialize in connecting Michigan workers to Michigan businesses – to provide on-site job placement services at every show-cause day.

In addition to meeting with FOC staff to work out payment plans or modifications, payers may meet with a Workbox or Solutions representative who will help them find a job that enables them to meet their support obligation.

Nearly every payer is eligible for job placement, and Workbox and Solutions will work with payers to find a job that suits their skills and needs. Positions are even available for those with felonies and work limitations. Generally, the only people ineligible for job placement are current drug abusers. Solutions and Workbox will conduct same-day drug screenings to determine eligibility and, in many cases, those who pass the drug screening on a Friday show-cause day will begin their job placement by Monday morning.

Jennell Challa, director of the Ottawa County FOC, believes that the program is more beneficial than license suspensions and other traditional enforcement mechanisms.

FOC investigator, Jeff Roffey, added that not only does this program allow clients to obtain suitable employment, “It really helps [investigators] when we have to take someone in front of the judge.” In a recent contempt hearing, a payer that Roffey worked with claimed an inability to obtain employment. After Roffey informed the court that the payer had recently refused a position offered through one of the on-site job-placement programs, the court found the payer in contempt.

In fact, the approach has been embraced county-wide. The job placement services are available to anyone who wishes to use them and other divisions of the court have rotated their calendars to allow litigants an opportunity to use the on-site services. When an FOC case comes before the bench, many judges will ask the defendants if they used the job placement services provided.

The idea is to be proactive with enforcement, providing payers with resources upfront to prevent the need for later enforcement measures. “We want to eliminate as many excuses and barriers as possible. We genuinely want people to be successful in providing support for their children. Employment and self-sufficiency generally improve their lives overall and there is a direct correlation between providing regular support and having increased involvement relationally with their children,” says Challa. The Ottawa FOC even provides on-site public attorneys to

represent payers at the show cause hearing. The FOC rotates through a list of attorneys willing to represent payers so that at least one attorney will be present at every show-cause day. If an attorney is requested, the attorney will meet with the payer to discuss his or her options and will represent the payer.

This proactivity does not end with show-cause day. Ottawa FOC is vigilant in ensuring that resources are available to assist those willing to work. Business cards for Workbox and Solutions are distributed by court staff and the Ottawa County Sheriffs' Department. Job placement pamphlets are available in the FOC office and additional job placement information appears on the homepage of the Ottawa FOC website at miottawa.org/courts/foc. In addition, the Ottawa FOC has utilized the resources available through the Michigan Works program – the nation's first unified workforce development system – to develop a “felon-friendly” list of job openings. This list is continually updated as new opportunities become available. In addition to the opportunities provided through Solutions and Workbox, as of the time of this article, nine west-Michigan employers were seeking immediate employees in a variety of industries.

Matt Schmid, Assistant Friend of the Court in charge of Field Services at Ottawa FOC, reports that since October 2015, they have referred 56 clients to Solutions. Of those 56 clients, 55 have registered with Solutions and 26 have obtained employment – and that does not include referrals through Workbox, Michigan Works, or the felon-friendly employer list. Nearly all these clients are employed in west Michigan. “It was important to us to keep jobs in west Michigan,” says Jennell Challa. “We want to use our programs to boost the economy here.”

Show-cause days, like those held in Ottawa County, are an opportunity to rebrand the FOC. While the ultimate goal is still to enforce the provisions of the support order, utilizing show cause orders to work towards an employment solution not only helps ensure that support provisions will be fulfilled but that clients will work with the FOCV on future issues.

For more information contact <http://www.miottawa.org/courts/foc>.

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